

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

NO. 7:22-CR-5-1D

UNITED STATES OF AMERICA	)	
	)	
v.	)	RESPONSE TO MOTION
	)	TO REVOKE OR AMEND
CHRISTOPHER CLARK ARTHUR	)	(D.E. 21)

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby responds in opposition to Defendant's Motion to Revoke or Amend the Magistrate Judge's Order of Detention, and states as follows:

Defendant asks the Court, notwithstanding the evidence presented at the detention hearing before the Magistrate Judge, to release the defendant because of the honorable background of his father, his ties to the community, his own work history, and his agreeing to record a message to his wife to inform her law enforcement had a search warrant for their home and to encourage her to leave the home peacefully. D.E. 21. While all of these facts are relevant to the decision regarding pre-trial release, the evidence presented on a motion for detention cannot simply be ignored. Indeed, under 18 U.S.C. § 3142, the first two considerations are the nature and circumstances of the offense charged and the strength of the evidence against the defendant. 18 U.S.C. § 3142(g)(1) and (2).

When this Court reviews the record of the detention hearing, it will find 38

exhibits which set out in writing, photographs, and in a video/audio recording made by Defendant of himself encouraging others in his belief they need to be prepared for when the government comes to take their firearms. These exhibits established the nature of the offense and the danger presented by Defendant not only to the general public but also and specifically to law enforcement should they ever need to take defendant into custody once more; the chilling evidence of Defendant's plan for retribution against a state Judge who presided over a recent custody battle involving Defendant's wife; and the sad use to which Defendant put his military and law enforcement training. On review, this Court will find the transcript of the detention hearing reflects that the U.S. Magistrate Judge gave careful consideration of all statutory factors, to include a lengthy consideration of those factors listed by Defendant. Yet, the Magistrate Judge concluded, there was overwhelming evidence underlying the request for detention.

There is no basis upon which to revoke or modify the decision made by the Magistrate Judge in this case. WHEREFORE, the United States of America respectfully submits the Defendant's Motion to Revoke or Amend should be denied.

Respectfully submitted, this 28th day of February, 2022.

MICHAEL F. EASLEY, JR.  
United States Attorney

/s/ Barbara D. Kocher  
BARBARA D. KOCHER  
Assistant United States Attorney  
Criminal Division

## CERTIFICATE OF SERVICE

This is to certify that I have this 28th day of February, 2022, served a copy of the foregoing Motion to Revoke/Amend upon the defendant, through counsel Damon Chetson, by electronic filing through the CM/ECF system.

/s/ Barbara D. Kocher  
BARBARA D. KOCHER  
Assistant United States Attorney